

JOSEPH RUSHING,)
)
Plaintiff,)
)
vs.) Case No. 4:08CV1338 CDP
)
NANCY SIMPSON, et al.,)
)
Defendants.)


On May 22, 2009, I ordered defendants to respond to plaintiff Rushing's motion to appoint counsel, notice to court, and response to defendants' motion for extension of time. Defendants have responded. Because I find that nothing has changed since my April 3, 2009 order denying Rushing's first and second motions to appoint counsel, I will deny Rushing's third motion for the same reasons.

In his notice to the court, Rushing alleges that defendants have failed to respond to discovery requests, and alleges that he does not know how to file summary judgment or do a deposition. This notice was not a motion, and the only relief requested was help from the court with depositions. I will not grant Rushing's requested relief. I am satisfied by defendants' response that they are following the discovery rules. Further, I will not change my previous ruling on defendants' motion for extension of time to file a motion for summary judgment. I

granted that motion by docket text on May 15, 2009, and the time line I set in that order still stands.

Accordingly,

IT IS HEREBY ORDERED that plaintiff's motion to appoint counsel [#43] is DENIED.



CATHERINE D. PERRY
UNITED STATES DISTRICT JUDGE

Dated this 2nd day of June, 2009.